I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

September 25, 2006
Date of Deposit

Rickard K. DeMille – Reg. No. 58,471
Name of Registered Representative

Signature

Our Case No. 10022/187

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | |
|---|---|---|
| In re Application of: Andrew E. Fano | ) | |
| Serial No. 09/975,460 | ) | |
| Filing Date: October 10, 2001 | ) | Examiner Dixon, Thomas A. |
| For LOCATION-BASED FILTERING FOR A SHOPPING AGENT IN THE PHYSICAL WORLD | ) | Group Art Unit No. 3639 |

**AMENDMENT AND RESPONSE**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed June 23, 2006, please consider the following in which Amendments to the Claims begin on page 2, and Remarks begin on page 14.

TRW 3639

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the below date:

Date: September 25, 2006 Name: Rickard K. DeMille Signature: Rickard K. DeMille

OIPE IAP12 SEP 27 2006 PATENT & TRADEMARK OFFICE

BRINKS HOFER GILSON & LIONE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | |
|---|---|
| In re Appln. of: | Andrew E. Fano |
| Appln. No.: | 09/975,460 |
| Filed: | October 10, 2001 |
| For: | LOCATION-BASED FILTERING FOR A SHOPPING AGENT IN THE PHYSICAL WORLD |

Examiner: Dixon, Thomas A.

Art Unit: 3639

Attorney Docket No: 10022/187

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

# TRANSMITTAL

Sir:

**Attached is/are**:

☒ Transmittal Letter (in duplicate); Amendment and Response

☒ Return Receipt Postcard

**Fee calculation**:

☒ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of $_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).

☐ A petition or processing fee in an amount of $_____ under 37 C.F.R. § 1.17(_____).

☐ An additional filing fee has been calculated as shown below:

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | | Small Entity Rate | Small Entity Add'l Fee | or | Not a Small Entity Rate | Not a Small Entity Add'l Fee |
|---|---|---|---|---|---|---|---|---|---|---|
| Total | | Minus | | | | x $25= | | | x $50= | |
| Indep. | | Minus | | | | x 100= | | | x $200= | |
| First Presentation of Multiple Dep. Claim | | | | | | +$180= | | | + $360= | |
| | | | | | | Total | $ | | Total | $ |

**Fee payment:**

☐ A check in the amount of $_____ is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of $ . A copy of this Transmittal is enclosed for this purpose.

☐ Payment by credit card in the amount of $_____ (Form PTO-2038 is attached).

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

9/25/06
Date

Respectfully submitted,
Rickard K. DeMille
Rickard K. DeMille (Reg. No. 58,471)

BRINKS HOFER GILSON & LIONE
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

BRINKS HOFER GILSON & LIONE